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SENATE

{ REPORT
104-252

WATER RESOURCES RESEARCH ACT AMENDMENTS OF 1996

APRIL 16, 1996.—Ordered to be printed

Mr. CHAFEE, from the Committee on Environment and Public Works, submitted the following

REPORT

[To accompany H.R. 1743]

The Committee on Environment and Public Works, to which was referred the bill (H.R. 1743) to amend the Water Resources Research Act of 1984 to extend the authorization of appropriations through fiscal year 2000, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

GENERAL STATEMENT

This legislation continues the active partnership between the Federal Government and non-Federal water resources researchers, a partnership that is centered at the university community. Specifically, H.R. 1743 extends the authorization for the State water resources research institutes ("Institutes") to address water resources management problems such as the abundance and quality of water supplies, the sources of water contaminants and methods of remediation, and the training of research scientists, engineers and technicians.

These 54 Institutes, which award grant funds for research projects, have been established at land grant colleges in each of the 50 States, and in the Virgin Islands, Guam, the District of Columbia, and Puerto Rico. The strength of the Institutes is their location within the university community, where a multitude of disciplines can be concentrated on water problems, offering new and innovative approaches. Funds are distributed among the Institutes in every State, assuring the widest possible geographic search for new information.

In addition to reauthorizing the institutional grants program, H.R. 1743 reauthorizes the investigation of interstate or regional water resources problems. Although the regional water research program, known as the Section 104(g) program, has not received Federal funding in recent years, greater regional cooperation among the Institutes and the States should be occurring.

Authorization for the institutional grants program and the 104(g) program lapsed at the end of fiscal year 1995. Funding and authority for the institutional grants program was provided in the fiscal year 1996 Interior Appropriations Act.

BACKGROUND

The Water Resources Research Act (42 U.S.C. 10301 et seq.) was originally enacted in 1964. The Act authorizes a program of water-related research and training of scientists and engineers to enter fields of water research and management. This program, administered at the 54 land grant college based-Institutes, is under the general guidance of the Secretary of the Interior. The Institutes receive grants disbursed by the Secretary which must be matched dollar-for-dollar, by non-Federal dollars.

In 1991, the National Academy of Science's National Research Council released a report with recommendations to advise the Water Resources Division (WRD) of the U.S. Geological Survey (USGS) on how it could marshal its resources most effectively to confront emerging water resources problems. The National Research Council believes WRD should continue to administer the grants program authorized under the Water Resources Research Act. The report stated that the arrangement between USGS and the Institutes is a benefit to the university research community, to the States and regions where Institutes are located, and to the water resources profession in general.

In administering the State water resources research institute program, the Interior Department has distributed appropriated funds equally among the Institutes. The Institutes, in turn, award research funds through a competitive, peer review process. Each Institute maintains one or more advisory panels comprised of local, State, and Federal water officials, representatives from water user groups, and other interested parties. Annually, these groups develop research priorities for their States and review the allocation of funds among various competing projects. In this way, individual Institutes are able to focus grants on the most pressing water problems and issues affecting the host State.

This plan has worked well. However, as funding to support water resources research has become more limited, the Interior Department should continue to develop plans to strengthen competition in the distribution of Federal funds to the Institutes. Since the research agenda for this program is established by each State to meet its individual needs, the Department should take great care to ensure that it does not impose new restrictions on State water resources research programs and that it considers the priorities and funding recommendations of the State advisory panels. The Department shall maintain a level of funding for the institutional grants at each Institute sufficient to maintain the basic network in-

infrastructure for efficient State, regional, and national research coordination, collaboration, education and information transfer.

The Department should consider making available, on a competitive basis, a significant percentage of funds expended on research by the Geological Survey's Water Resources Division. This external research program could be coordinated through the State Institutes as a gateway into the academic community.

States are also encouraged to continue their interstate cooperation under the Section 104(g) program, which is reauthorized in this bill, as reported, to address regional and national issues affecting their individual States. By continuing and enhancing these collaborative efforts, the State Institutes can better address critical issues on long-term water planning and supply that may exceed the resources of one State.

SECTION-BY-SECTION ANALYSIS

SECTION 1. FINDINGS

The Water Resources Research Act sets forth a number of benefits to be achieved through water resources research. This section adds the goals of encouraging management of water resources for the productivity of agricultural and natural resources systems and strengthening long-term water resources planning, policy development, and problem-solving capacity of States.

SECTION 2. PURPOSE

The existing Act declares its purpose to be to "assist the Nation and the States in augmenting their water resources science and technology" as a way to achieve certain objectives. This section adds as an additional objective long-term planning and research to meet future water management, quality and supply changes.

SECTION 3. GRANTS; MATCHING FUNDS

This section makes permanent the requirement that recipients of the Federal grant match the grant on the basis of two non-Federal dollars to each Federal dollar.

SECTION 4. GENERAL AUTHORIZATIONS OF APPROPRIATIONS

The 1984 Act authorized \$10,000,000 annually to cover all general water resources research for the Institutes. H.R. 1743 authorizes the institutional grants program at \$5,000,000 for fiscal year 1996; \$7,000,000 for fiscal years 1997 and 1998; and \$9,000,000 for fiscal years 1999 and 2000, for a total of \$37,000,000.

SECTION 5. AUTHORIZATION OF APPROPRIATIONS FOR RESEARCH FOCUSED ON WATER PROBLEMS OF INTERSTATE NATURE

This section authorizes \$3,000,000 for each of the fiscal years 1996 through 2000 for the Section 104(g) program, for a total of \$15,000,000.

SECTION 6. COORDINATION

This section directs the Secretary of Interior to encourage other Federal agencies to take advantage of the expertise and capabilities

of the Institutes and to facilitate cooperation with other Federal water resources programs. It establishes a mechanism for contracts and cooperative agreements between the Department and other agencies to achieve better coordination. The Secretary is directed to report to Congress each year on these coordination efforts.

The Secretary is further authorized to establish an internship program for qualified undergraduate and graduate students. Finally, the bill states that nothing in this Act shall preempt the rights and authorities of any State with respect to its water resources or management of those resources.

HEARINGS

No hearings were held on the bill.

ROLLCALL VOTES

Section 7(b) of rule XXVI of the Standing Rules of the Senate and the rules of the Committee on Environment and Public Works require that any rollcall votes taken during consideration of legislation be noted in the report on that legislation.

At the business meeting of the Committee on Environment and Public Works on March 28, 1996, the bill H.R. 1743 was amended and ordered to be reported favorably by voice vote. No rollcall vote was taken.

REGULATORY IMPACT

In compliance with Section 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact of the bill.

The bill does not create any additional regulatory burdens.

COST OF LEGISLATION

Section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. That statement follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 15, 1996.

Hon. JOHN H. CHAFEE,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1743, a bill to amend the Water Resources Research Act of 1984 to extend the authorizations of appropriations through fiscal year 2000, and for other purposes.

Enactment of H.R. 1743 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JUNE E. O'NEILL, *Director*.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 1743.
2. Bill title: A bill to amend the Water Resources Research Act of 1984 to extend the authorizations of appropriations through fiscal year 2000, and for other purposes.
3. Bill status: As ordered reported by the Senate Committee on Environment and Public Works on March 28, 1996.
4. Bill purpose: The bill would authorize the Secretary of the Interior to provide grants to water resources research and technology institutes located in the States and U.S. territories for:
 - general research in the amount of \$5 million in fiscal year 1996, \$7 million in each of fiscal years 1997 and 1998, and \$9 million in each of fiscal years 1999 and 2000; and
 - research focused on water problems of an interstate nature in the amount of \$3 million in each of fiscal years 1996, 1997, 1998, 1999, and 2000.
5. Estimated cost to the Federal Government: CBO estimates that the Federal Government would spend an additional \$47 million to implement this bill over the 1996–2000 period. This estimate assumes appropriation of the authorized amounts and spending at rates consistent with historical experience.

[By fiscal years, in millions of dollars]

| | 1996 | 1997 | 1998 | 1999 | 2000 |
|--|------|------|------|------|------|
| Spending Under Current Law: | | | | | |
| Budget Authority ¹ | 5 | 0 | 0 | 0 | 0 |
| Estimated Outlays | 5 | 0 | 0 | 0 | 0 |
| Proposed Changes: | | | | | |
| Authorization Level | 3 | 10 | 10 | 12 | 12 |
| Estimated Outlays | 0 | 13 | 10 | 12 | 12 |
| Spending Under H.R. 1743: | | | | | |
| Authorization Level ¹ | 8 | 10 | 10 | 12 | 12 |
| Estimated Outlays | 5 | 13 | 10 | 12 | 12 |

¹ The 1996 level includes amounts already appropriated for that year.

The costs of this bill fall within budget function 300.

6. Pay-as-you-go considerations: None.

7. Estimated impact on State, local, and tribal governments: The bill contains no intergovernmental mandates as defined by Public Law 104–4, and would impose no new direct costs on State, local, or tribal governments. The bill would extend the authorization of appropriations for grants to water resources research institutes, which are located at universities or colleges in each of the 50 State, the trust territories, and the District of Columbia. Most of the research institutes are located at public, land-grant universities.

The bill would authorize appropriations of \$37 million for fiscal years 1996 through 2000 for general research (\$5 million has already been provided for this purpose in fiscal year 1996). In order to receive funding, the research institutes would have to match each dollar of grant money with at least two dollars from non-Federal sources. The bill would also authorize appropriations of \$15

million for fiscal years 1996 through 2000 for research on interstate water problems. The institutes would have to match this grant money dollar-for-dollar with funds from other sources.

8. Estimated impact on the private sector: The bill would impose no new private sector mandates, as defined in Public Law 104-4.

9. Previous CBO estimate: On August 22, 1995, CBO provided an estimate for H.R. 1743, a bill to amend the Water Resources Research Act of 1984 to extend the authorization of appropriations through fiscal year 2000, and for other purposes, as ordered reported by the House Committee on Resources on August 2, 1995. CBO estimated that the Federal Government would spend \$37 million to implement that bill over the 1996-2000 period. The difference in the estimates reflects different authorization levels in the two bills and the fact that appropriations have now been provided for 1996.

10. Estimate prepared by: Federal cost estimate—Gary Brown; State and local government impact—Pepper Santalucia; Private sector impact—Amy Downs.

11. Estimate approved by: Paul Sunshine for Paul N. Van de Water, Assistant Director of Budget Analysis.

CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows: existing law as proposed to be omitted is printed inside of bold brackets; new matter proposed to be added to existing law is printed in italic; and existing law in which no change is proposed is shown in roman.

UNITED STATES CODE

TITLE 42—THE PUBLIC HEALTH AND WELFARE

CHAPTER 109—WATER RESOURCES RESEARCH

WATER RESOURCES RESEARCH ACT OF 1984

* * * * *

SEC. 10301. The Congress finds and declares that—

(1) * * *

(2) the management of water resources is closely related to maintaining environmental quality, *productivity of natural resources and agricultural systems*, and social well-being;

* * * * *

(6) it is necessary to provide for the research and development of technology for the conversion of saline and other impaired waters to a quality suitable for municipal, industrial, agricultural, recreational, and other beneficial uses; [and]

(7) the Nation must provide programs to strengthen research and associated graduate education because the pool of scientists, engineers, and technicians trained in fields related to

water resources constitutes an invaluable natural resource which should be increased, fully utilized, and regularly replenished[.];

(8) long-term planning and policy development are essential to assuring the availability of an abundant supply of high quality for domestic and other uses; and

(9) the States must have the research and problem-solving capacity necessary to effectively manage their water resources.

SEC. 10302. It is the purpose of this Act to assist the Nation and the States in augmenting their water resources science and technology as a way to—

(1) * * *

* * * * *

(5) to promote more effective coordination of the Nation's water resources research program; [and]

(6) promote the development of a cadre of trained research scientists, engineers, and technicians for future water resources problems[.]; and

(7) encourage long-term planning and research to meet future water management, quality, and supply challenges.

SEC. 10303. (a) * * *

* * * * *

(c) From the sums appropriated pursuant to subsection (f) of this section, the Secretary shall make grants to each institute to be matched on a basis of no less than [one non-Federal dollar for every Federal dollar during the fiscal years ending September 30, 1985, and September 30, 1986, one and one-half non-Federal dollars for each Federal dollar during the fiscal years ending September 30, 1987, and September 30, 1988, and two non-Federal dollars for each Federal dollar during the fiscal year ending September 30, 1989 and thereafter] *two non-Federal dollars for every Federal dollar*; such sums to be used only for the reimbursement of the direct cost expenditures incurred for the conduct of the water resources research program.

* * * * *

(f)(1) For the purpose of carrying out this section, there is authorized to be appropriated to the Secretary the sum [of \$10,000,000 for each of the fiscal years ending September 30, 1989, through September 30, 1995] *of \$5,000,000 for fiscal year 1996, \$7,000,000 for fiscal years 1997 and 1998, and \$9,000,000 for fiscal years 1999 and 2000*, such sums to remain available until expended.

(g) Additional appropriations where research focused on water problems of interstate nature: (1) There is further authorized to be appropriated to the Secretary of the Interior the sum [of \$5,000,000 for each of the fiscal years 1991, 1992, 1993, 1994, and 1995] *of \$3,000,000 for each of fiscal years 1996 through 2000* only for reimbursement of the direct cost expenses of additional research or synthesis of the results of research by institutes which focuses on water problems and issues of a regional or interstate nature beyond those of concern only to be a single State and which relate to specific program priorities identified jointly by the Secretary and the institutes. Such funds when appropriated shall be matched on

a not less than dollar-for-dollar basis by funds made available to institutes or groups of institutes, by States or other non-Federal sources. Funds made available under this subsection shall remain available until expended.

* * * * *

(h)(1) *To carry out provisions of this Act, the Secretary—*

(A) shall encourage other Federal departments, agencies (including agencies within the Department of the Interior), and instrumentalities to use and take advantage of the expertise and capabilities which are available through the institutes established by this section on a cooperative or other basis;

(B) shall encourage cooperation and coordination with their Federal programs concerned with water resources problems and issues;

(C) may enter into contracts, cooperative agreements, and other transactions without regard to section 3709 of the Revised Statutes (41 U.S.C. 5);

(D) may accept funds from other Federal departments, agencies (including agencies within the Department of the Interior), and instrumentalities to pay for and add to grants made, and contracts entered into, by the Secretary;

(E) may promulgate such rules and regulations as he deems appropriate; and

(F) may support a program of internships for qualified individuals at the undergraduate and graduate level to carry out the educational and training objectives of this Act.

(2) The Secretary shall report to Congress annually on coordination effects with other Federal departments, agencies, and instrumentalities under paragraph (1).

(3) Nothing in this Act shall preempt the rights and authorities of any State with respect to its water resources or management of those resources.

* * * * *